



PATENT

Our Docket: ISIS-1158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Nielsen, et al.,) Examiner: Michael L. Borin
)
Serial No.: 08/319,411) Group Art Unit: 1631
)
Filed: October 6, 1994)
)
For: PEPTIDE NUCLEIC ACID)
CONJUGATES)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Terminal Disclaimer To Obviate A Provisional Double Patenting
Rejection Over A Prior Patent

The owners Ole Buchardt, deceased, by Dorte Buchardt, heiress; Michael Egholm; Peter Eigil Nielsen, Rolf Henrik Berg, and Isis Pharmaceuticals, of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of Prior Patent No. 6,395,474.

The owners hereby waive the right to enforce any patent granted on the instant application separately from Prior Patent No. 6,395,474. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during

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such period that it and the prior patents are not separately enforced.

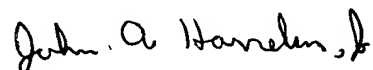
In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to deposit account no. 23-3050.

The undersigned is an attorney or agent of record.

Respectfully Submitted



John A. Harrelson, Jr., PhD

Reg. No.: 42,637

DATE: October 19, 2006